

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

STATE OF TEXAS,

Plaintiff,

v.

MERRICK GARLAND, in his official capacity as
Attorney General, *et al.*,

Defendants.

Case No. 5:23-cv-00034-H

**[PROPOSED] ORDER GRANTING DEFENDANTS' MOTION TO RE-SET THE
MOTIONS HEARING, STRIKE PLAINTIFF'S FOUR WITNESSES, OR CONTINUE
THE TRIAL**

Upon consideration of Defendants' Motion to Re-set the Motions Hearing, Strike Plaintiff's Four Witnesses, or Continue the Trial, it is ORDERED that the Motion is GRANTED in part and:

- [The dates and deadlines in the Court's October 24, 2023 Order, ECF No. 75, are vacated. The parties shall appear in-person for a hearing on Plaintiff's motion for preliminary injunction and Defendants' motion to dismiss on November 28, 2023, in the United States District Court, Courtroom C-216, 1205 Texas Avenue, Lubbock, Texas.]
- [The four witnesses listed on Plaintiff's November 14, 2023, Witness List, ECF No. 82, are stricken and may not give live testimony at the November 28, 2023 trial.]
- [The trial currently scheduled for November 28, 2023 is continued until December 19, 2023. All other deadlines in the Court's October 24, 2023 Order, ECF No. 75, remain in place. Plaintiff shall make the four witnesses on its November 14, 2023 Witness List, ECF No. 82, available for deposition by December 8, 2023.]

IT IS SO ORDERED.

Dated: _____

Honorable James Wesley Hendrix
UNITED STATES DISTRICT JUDGE